

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, MAY 4, 1983

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, May 4, 1983 in the City Hall Council Chambers.

ROLL CALL Present: Council Members - Murphy, Pinkerton, Snider, and Olson (Mayor)

Absent: Council Members - Reid

Also Present: City Manager Graves, Assistant City Manager Glenn, Public Works Director Ronsko, Community Development Director Schroeder, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Pastor Darrel Thomas, 1st United Methodist Church

PLEDGE The Pledge of Allegiance was led by Mayor Olson

PRESENTATIONS Mayor Olson presented Proclamations regarding the forthcoming Buddy Poppy Drive by the Veterans of Foreign Wars and the American Legion Auxiliary.

REPORTS OF THE CITY MANAGER

CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Murphy, Snider second, approved the following actions hereinafter set forth.

CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,287,309.12

MINUTES THE MINUTES OF APRIL 6, 1983 WERE APPROVED AS WRITTEN.

AWARD-ASPHALT
MATERIAL FOR
MAY & JUNE 1983

City Manager Graves presented the following bids which had been received for Asphalt Materials for the remaining two months of the Fourth Quarter Fiscal Year 1982-83 as follows:

SEE PAGE 2

On recommendation of the City Manager, Council adopted Resolution No. 83-31 awarding the Bid for Asphalt Materials for the remaining two months of the fourth quarter of fiscal year 1982-83 as follows:

RES. NO. 83-31 Claude C. Wood Co. Item No. 1A, B & C
Item No. 2A & B

Granite Construction Item No. 2C

COUNCIL AUTHORIZES
DESTRUCTION OF
CERTAIN PUBLIC
WORKS RECORDS.

RES. NO. 83-32 COUNCIL ADOPTED RESOLUTION NO. 83-32 APPROVING THE DESTRUCTION OF CERTAIN PUBLIC WORKS DEPARTMENT RECORDS AS APPROVED BY THE CITY ATTORNEY AND MEETING THE REQUIREMENTS OF THE LAW AS SET FORTH IN THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA

SUPPLIER	ITEM NO. 1			ITEM NO. 2		
	Dense Grade Asphalt Concrete, Type B 3/8". Asphalt binder shall be Viscosity Grade AR-4000 Paving Asphalt.			Dense Grade Asphalt Concrete, Type B 1/2". Asphalt binder shall be Viscosity Grade AR-4000 Paving Asphalt.		
	A F.O.B. Plant (400 Tons)	B Stockpile City Limits (100 Tons)	C Hopper of Paver (500 Tons)	A F.O.B. Plant (50 Tons)	B Stockpile City Limits (100 Tons)	C Hopper of Paver (100 Tons)
<u>Claude C. Wood Co., Clements</u>						
Cost Per ton including tax	\$ 20.94	\$ 24.27	\$ 25.76	\$ 20.67	\$ 24.01	\$ 25.49
Plus: City cost for mileage	<u>4.85</u>	<u> </u>	<u> </u>	<u>4.85</u>	<u> </u>	<u> </u>
TOTAL	25.79	24.27	25.76	25.52	24.01	25.49
<u>Granite Construction Co., Stkn</u>						
Cost per ton including tax	\$ 22.47	\$ 24.73	\$ 25.86	\$ 21.36	\$ 24.24	\$ 25.46
Plus: City cost for mileage	<u>6.28</u>	<u> </u>	<u> </u>	<u>6.28</u>	<u> </u>	<u> </u>
TOTAL	28.75	24.73	25.86	27.64	24.24	25.46

PLANS AND SPECS
APPROVED FOR TURNER
ROAD OVERLAY SPRR
TO HIGHWAY 99
APPROVED

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR "TURNER ROAD OVERLAY, SPRR TO HIGHWAY 99" AND AUTHORIZED THE ADVERTISING FOR BIDS THEREON. THIS PROJECT MAINLY CONSISTS OF VERLAYING THE EXISTING PAVEMENT ON TURNER ROAD FROM THE SPRR TO HIGHWAY 99. ALSO INCLUDED IS RECONSTRUCTION OF THE SUBGRADE IN SOME LOCALIZED AREAS.

SPECS APPROVED
FOR PURCHASE OF
75 WOOD UTILITY
POLES

COUNCIL APPROVED THE SPECIFICATIONS FOR THE PURCHASE OF 75 (VARIOUS SIZE) WOOD UTILITY POLES AND AUTHORIZED THE ADVERTISING FOR BIDS THEREON.

PURCHASE OF 5
ADDITIONAL POLICE
VEHICLES APPRVD

COUNCIL AUTHORIZED THE PURCHASE OF 5 ADDITIONAL POLICE VEHICLES AT A COST OF \$8,800 EACH, WHICH COSTS ARE TO BE APPROPRIATED FROM THE FEDERAL REVENUE SHARING FUNDS.

SPECS FOR 15 KV
XLP CABLE APPRVD

COUNCIL APPROVED THE SPECIFICATIONS FOR THE PURCHASE OF 16,000 FEET OF #2, 30,000 FEET OF #2/0 AND 7,500 FEET OF 750 MCM 15-KV XLP ALUMINUM CABLE AND AUTHORIZED THE ADVERTISING FOR BIDS THEREON.

PUBLIC HEARINGS There were no Public Hearing scheduled for this meeting

PLANNING
COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of April 25, 1983:

The Planning Commission -

P-D 23 AMENDMENTS
SET FOR PUBLIC
HEARING

1. Recommended that the City Council amend P-D(23), Planned Development District No. 23 which is located on the west side of Lower Sacramento Road, northerly of the future extension of West Elm Street by substituting single-family residential for 11.5 acres of previously approved multiple-family residential.
2. Certified the filing of a Negative Declaration on the above project and the Tentative Map of Park West, an 88 acre, 515 unit residential subdivision on the west side of Lower Sacramento Road by the Community Development Director as adequate environmental documentation.

On motion of Council Member Murphy, Snider second, Council set the heretofore listed two items for Public Hearing on June 1, 1983 at 8:00 p.m.

ITEMS OF
INTEREST

The Planning Commission also

1. Conditionally approved the Revised Tentative Map of Park West (formerly Kennedy Ranch), an 88 acre, 515 unit residential subdivision proposed for the west side of Lower Sacramento Road, northerly of the future extension of West Elm Street in an area zoned P-D(23), Planned Development District No. 23.

2. Conditionally approved the Tentative Map of Lakeshore, Unit No. 3, a 31-lot single-family subdivision located on the south side of Lakeshore Drive between Newport Drive and South Mills Avenue in an area zoned P-D(21) Planned Development District No. 21.
3. Conditionally approved the Tentative Parcel Map request of Baumbach and Piazza, Consulting Engineers on behalf of M. O. Ray, Jr. to join the lots at 811 South Fairmont Avenue and 1108, 1120 and 1132 Sylvia Drive (i.e. Assessor Parcel No's. 033-080-16, 033-080-19, 033-080-14 and 033-080-13) to permit the connection of and the addition to the two phases of the Vista Ray Convalescent Hospital.
4. Conditionally approved the Tentative Parcel Map request of Baumbach and Piazza, Consulting Engineers, on behalf of Mike Stiehr to combine two parcels into one at 316 and 316½ East Elm Street (Assessor Parcel No's. 043-075 and 043-075-07 in an area zoned R-HD, High Density Multiple Family Residential.
5. Determined that a Zoning Hardship did not exist and denied the request of First Financial Bancorp on behalf of the Bank of Lodi for a Zoning Variance to increase the allowable sign area from 64 square feet to 91 square feet at 701 South Ham Lane in an area zoned R-C-P, Residential-Commercial-Professional.
6. Conditionally approved the request of C & S Foods, Inc. for a Use Permit to construct a 2200 square foot Burger King Fast Food Restaurant with a drive-thru window proposed to be located at 616 West Kettleman Lane in a portion of the Vineyard Shopping Center in an area zoned P-D(15), Planned Development District No. 15.
7. Determined that previous actions by the Planning Commission and Site Plan and Architectural Review Committee constituted the basis for a Zoning Hardship and approved the request of B. T. Reeves on behalf of Reeves Company, Inc. for a Zoning Variance to reduce the set-back for a business identification sign from 10 feet to 6 feet at 300 West Pine Street in an area zoned R-C-P, Residential-Commercial-Professional.
8. Set a public hearing for 7:30 p.m., Monday, May 23, 1983 to consider recommending that the City Council adopt a Housing Element for the Lodi General Plan.

COMMUNICATIONS

CITY CLERK

The City Clerk presented the following applications for Alcoholic Beverage License(s):

ABC LICENSES

Tokay Liquors Ltd.
8 East Lockeford Street
Lodi, CA 95240
Pearson, Patrick Lane - Gen. Ptr.
Ray, Barbara Pearson - Ltd. Ptr.
Off Sale General

CLAIMS

On recommendation of the City Attorney and R. L. Kautz and Company, Council, on motion of Mayor Pro Tempore Snider, Murphy second, denied the following claims and referred them back to R. L. Kautz and Company:

- a) Hayes Chiropractic Offices DOL 11/11/82
- b) Mariano Chavez DOL 12/25/82

On recommendation of the City Attorney and R. L. Kautz and Company, Council, on motion of Mayor Pro Tempore Snider, Murphy second, denied the following claim as insufficient and referred it back to R. L. Kautz and Company:

a) Ron Markle DOL 4/1/83

PUC APPLICATIONS City Clerk Reimche presented the following information regarding PUC applications:

1. Letter received from Leonard M. Grimes, Jr. of Public Utilities Commission re Investigation on the Commission's own motion into the rules, procedures and practices which should be applicable to the Commission's review of transmission lines not exceeding 200 kilovolts.
2. Notice received from Greyhound Lines, Inc. re Application No. 83-02-62 filed on February 28, 1983 requesting to increase its passenger bus fares.

STOP LOSS
COVERAGE
AUTHORIZED

Following introduction of the matter by City Clerk Reimche, Council, on motion of Council Member Murphy, Pinkerton second, authorized the obtaining of \$300,000 Stop Loss Coverage to the City's Excess Liability Program at a cost of \$7,375.00 and authorized the City's Agent of Record Max Elson Insurance, Inc. to obtain the subject coverage for the City of Lodi.

WIRE RECEIVED
RE DEFEAT OF
COMPULSORY AND
BINDING
ARBITRATION
BILL

City Clerk Reimche presented the following wire which had been received from Don Benninghoven, Executive Director, League of California Cities and Harry Armstrong, Mayor, Clovis, and President of the League of California Cities.

"CONGRATULATIONS ON A GREAT VICTORY. COMPULSORY AND BINDING ARBITRATION DECISIVELY DEFEATED 4-9 IN SENATE FINANCE COMMITTEE LAST NIGHT. CITY OFFICIALS WAGED INCREDIBLY EFFECTIVE CAMPAIGN AGAINST WHAT SEEMED INSURMOUNTABLE ODDS - IT WAS SUPPORTED BY THE GOVERNOR, SENATE PRESIDENT PRO TEM AND FORMER AUTHOR OF SUCH LEGISLATION, CHAIRMAN OF SENATE FINANCE, PLUS AN ASSEMBLY WHICH TRADITIONALLY PASSES THIS TYPE OF LEGISLATION.

WE THANK YOU AND OTHERS IN YOUR CITY WHO TOOK TIME TO CALL, WRITE, OR COME TO SACRAMENTO AND COMMUNICATED THE DISASTROUS POLICY AND FISCAL IMPLICATIONS OF SB 778. A MEDIA BLITZ - EDITORIALS AND BUSINESS AND COMMUNITY OPPOSITION ALL GENERATED LOCALLY BUT COORDINATED ON A STATEWIDE BASIS MADE THE DIFFERENCE - CAL TAXPAYERS ASSOCIATION ESTIMATED COST TO TAXPAYERS IN EXCESS OF \$60 MILLION THE FIRST YEAR AND DOUBLING THE NEXT.

THOSE VOTING NO: BEVERLY, BOATWRIGHT, FORAN, MADDY, MARKS, PETRIS, PRESLEY SEYMOUR, STIERN. THOSE NOT VOTING, WHICH HAS SAME EFFECT AS VOTING NO: CAMPBELL, ROBBINS. THOSE VOTING YES: ALQUIST, DILLS, GARAMENDI, BILL GREENE.

AGAIN, CONGRATULATIONS ON A MOST IMPRESSIVE ADVOCACY EFFORT. A PERFECT EXAMPLE OF CALIFORNIA CITIES WORKING TOGETHER."

COMMENTS BY
CITY COUNCIL
MEMBERS

On motion of Mayor Pro Tempore Snider, Murphy second Council concurred with Mayor Olson's following appointments and reappointments to the Lodi Arts Commission:

APPOINTMENTS &
REAPPOINTMENTS
TO LODI ARTS
COMMISSION

APPOINTMENTS FOR 3 YEAR TERMS COMMENCING 5/5/83

Cecil Church
Elise Forbes
Rev. Richard Lungren

REAPPOINTMENTS FOR 3 YEAR TERMS COMMENCING 5/5/83

Gwin Mitchell
Elaine Wait

BEST WISHES
SENT TO ROBERT
MULLEN AND
FRED REID

Mayor Olson and the Council sent best wishes to Robert Mullen and Fred Reid and wished them a speedy recovery.

COMMENTS BY
THE PUBLIC ON
NON AGENDA
ITEMS

Dave Vaccarezza of Sanitary City Disposal Company gave a brief announcement regarding their upcoming annual "Pickup" Program.

REPORTS OF THE
CITY MANAGER

REGULAR CALENDAR

COMPLAINT
RECEIVED RE
RAILROAD NOISE

This Agenda item was introduced by the City Manager and City Attorney who presented a brief history concerning the complaint. Speaking on the matter was Mr. Lawrence Wilson, the Complainant. Following discussion, on motion of Mayor Pro Tempore Snider, Murphy second, the matter was referred to the City Attorney for research.

AWARD OF CONTRACT
FOR LODI ANIMAL
SHELTER
EXPANSION
DEFERRED

Agenda Item k-2 - "Award - Lodi Animal Shelter Expansion" was introduced by Public Works Director Jack Ronsko who advised the Council that the low bidder for this project had advised his office that they had made a mistake on their bid and wished to withdraw the bid. The low bidder was advised that he would be required to make a formal request in writing to have his bid withdrawn and Mr. Ronsko recommended that any action on this matter be deferred to the next regular Council meeting. On motion of Council Member Pinkerton, Murphy second, Council deferred awarding the contract for the Lodi Animal Shelter Expansion to the regular Council meeting of May 18, 1983.

Council received the following letter which had been received from Roger Nicholson, Commander of the Lodi Post, Inc. of the American Legion:

"The Lodi Post 22, of the American Legion, which is located at 320 North Washington Street, is proposing several major improvements to our building. Some of these include a handicap ramp to the front entrance to the building and restrooms for the handicapped on the main floor. The estimated cost for these two items alone will be between \$12,000 and \$30,000, and the end result will benefit the numerous handicapped Lodians that utilize this facility.

It's our understanding that your Engineering Staff would authorize a modification of the public sidewalk and curbing to accommodate the handicap where our proposed ramp will terminate at the public walkway. This modification will be larger than the normal handicap ramp to allow the City's Parks Department access to the neighboring park with their lawn mowers.

We have also learned this portion of Washington Street is scheduled to be repaved this year. In conjunction with this re-paving project we request the City Council to authorize expenditures to eliminate a curb and gutter drainage problem that has existed in front of the building for many years and has caused a safety and health hazard. We have contacted the Engineering Division and it's been indicated the solution to this problem is the placement of a storm line and catch basins on Washington Street and the replacement of approximately 200 feet of existing curb and gutter.

Your help in resolving this ongoing problem would be greatly appreciated.

Sincerely,

Roger Nicholson,
Commander"

REQUEST FROM
AMERICAN LEGION,
POST NO. 22 FOR
PLACEMENT OF A
STORM LINE &
CATCH BASINS ON
WASHINGTON STREET
AND REPLACEMENT OF
EXISTING CURB AND
GUTTER APPROVED

Public Works Director Ronsko addressed the Council indicating that the requested handicap modifications to the sidewalk and curbing had already been approved.

Following additional discussion, Council, on motion of Council Member Murphy, Snider second, authorized the expenditure of approximately \$15,000 for the placement of a storm line and catch basins on Washington Street in the area of the American Legion Building, and the replacement of approximately 200 feet of existing curb and gutter in the subject area.

NCPA SECOND
PHASE AGREEMENT
FOR GEYSERS
TRANSMISSION
FACILITIES
APPROVED

Agenda item k-5 "Approve NCPA Second Phase Agreement for Geysers Transmission Facilities" was introduced by City Manager Graves.

RES. NO. 83-34 Mr. Roger Fontes of the NCPA Staff made a presentation to the Council on the subject which included the following information:

- I. Introduction
- II. 2nd Phase Agreement for Geysers Transmission Project
 - a. Background
 - b. Available PG&E Transmission Service
 - c. "Wheeling" Versus Ownership
 - d. 2nd Phase Agreement Provisions
 - 1. Geysers-Lakeville Line
 - 2. Joint New Line
- III. Budget
 - a. NCPA 2nd Phase Agreement
 - b. 4-Party Joint Venture Agreement
 - c. NCPA Budget/Cash Flow
 - d. Project Financing

A very lengthy discussion followed with questions being directed to the City Manager and to Mr. Fontes.

On motion of Council Member Snider, Olson second, Council adopted Resolution No. 83-34 approving the NCPA Agreement for Financing of Planning and Licensing Activities for Construction of Geysers Transmission Facilities and authorized the Mayor and City Clerk to execute the Agreement on behalf of the City. The motion carried by the following vote:

Ayes: Council Members - Murphy, Snider, and Olson

Noes: Council Members - Pinkerton

Absent: Council Members - Reid

COUNCIL MEMBERS
REQUEST INFORMATION
REGARDING
NCPA

On motion of Council Member Murphy, Snider second, Staff was requested to develop information regarding NCPA that can be presented to Council on a regular basis. The motion carried by unanimous vote.

Following additional Council discussion, it was tacitly agreed that members of the Council would develop a list of questions they had concerning NCPA to be responded to by Staff at the earliest possible date.

COUNCIL OPPOSES
S.66 (GOLDWATER)

RES. NO. 83-33 Following introduction of the matter by City Manager Glaves, Council, on motion of Mayor Pro Tempore Snider, Pinkerton second, adopted Resolution No. 83-33 opposing S.66 (Goldwater) which bill seeks to usurp local authority over cable television.

RES. NO. 83-35

ORDINANCES

ORD. NO. 1276
ADOPTED

Absent: Council Members - Reid

ADJOURNMENT

Attest:

Alice M. Reinche
City Clerk